



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,981	02/08/2002	Susumu Ohsawa	041514-5243	9923
9629	7590	06/01/2005		
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			EXAMINER MEEK, JACOB M	
			ART UNIT	PAPER NUMBER
			2637	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/067,981

Applicant(s)

OHSAWA, SUSUMU

Examiner

Jacob Meek

Art Unit

2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 February 0208.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1 - 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Cvetkovic et al (US-6,236,844)..

With regard to claim 1, Cvetkovic discloses a receiver comprising: at least 2 antennas (see figure 2, 12, 13); signal amplifiers for amplifying signals that have been received respectively by at least 2 antennas (see figure 2, 18 and 19); a signal superposing part for superposing signals that have been amplified (see figure 2, 20), a demodulating / reproducing for demodulating output of signal superposing part (see figure 2, 21) and reproducing reception information included in broadcast waves (see figure 2, 23); and a control part for performing a control operation to reduce a numbers of signals in output signal when reproduction quality of the reception information has deteriorated (see figure 2, 22 and column 2, lines 58 – 67 where SS1 and SS2 signals perform this function).

With regard to claim 2, Cvetkovic discloses a receiver comprising: at least 2 antennas for receiving broadcast waves (see figure 2, 12, 13 and column 1, line 61 – column 2, line 14); signal amplifiers for amplifying signals that have been received respectively by at least 2 antennas (see figure 2, 18 and 19); a signal superposing part for superposing signals that

have been amplified (see figure 2, 20), a demodulating / reproducing for demodulating output of signal superposing part (see figure 2, 21) and reproducing reception information included in broadcast waves (see figure 2, 23); and a control part for performing a control operation to exclude signals with high noise level that have been output by signal amplifiers from output signal when reproduction quality of the reception information has deteriorated (see figure 2, 22 and column 3, line 60 – column 4, line 13 where this is interpreted as equivalent).

With regard to claim 3, Cvetkovic discloses a receiver comprising: at least 2 antennas for receiving broadcast waves from a plurality of broadcasting systems (see figure 2, 12, 13 and column 1, line 61 – column 2, line 14 where FM signals are known to be broadcast from a variety of sources); signal amplifiers for amplifying signals that have been received respectively by at least 2 antennas (see figure 2, 18 and 19); a signal superposing part for superposing signals that have been amplified (see figure 2, 20), a demodulating / reproducing for demodulating output of signal superposing part (see figure 2, 21) and reproducing reception information included in broadcast waves (see figure 2, 23); and a control part for performing a control operation to exclude at least one signal from 2<sup>nd</sup> group of broadcast signals from output signal when reproduction quality of the reception information has deteriorated (see figure 2, 22 and column 2, lines 44 – 57 where this tuning operation is interpreted as equivalent).

2. Claim 4 is rejected under 35 U.S.C. 102(e) as being anticipated by Cvetkovic et al (US-6,141,536).

With regard to claim 4, Cvetkovic discloses a receiver comprising: at least 2 antennas for receiving broadcast waves for a program having a common content from a plurality of broadcasting systems (see figure 1, 14, 15 where FM signals are known to be broadcast from a variety of sources); signal amplifiers for amplifying signals that have been received

respectively by at least 2 antennas (see figure 1, 20 and 22); a signal superposing part for superposing signals that have been amplified (see figure 1, 21), a demodulating / reproducing for demodulating output of signal superposing part (see figure 1, 24) and reproducing reception information included in broadcast waves (see figure 1, 26); and a control part for performing a control operation to exclude at least one of (i) signals with a high noise level that have been output by signal amplifier (see figure 1, 17, 23) and (ii) signals output by signal amplifiers whose signal quality has deteriorated from output signal when reproduction quality of reception data has deteriorated (see column 1, line 63 – column 2, line 23).

### ***Other Cited Prior Art***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Seshadri (US-5479448), Akaiwa (US-5710995), Inamori (US-6070064), Miyahara (US-6449469), Whikehart (US-6470186), and Nokes (US-6792258) all disclose variation of diverse reception receivers.

### ***Conclusion***

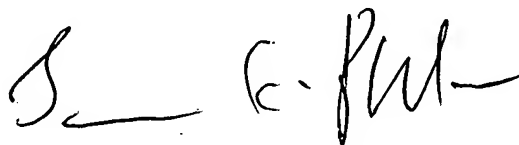
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Meek whose telephone number is (571)272-3013. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571)272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2637

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMM



**JAY K. PATEL**  
**SUPERVISORY PATENT EXAMINER**